

The total combined duty of water for consumptive purposes under Permits 40900, Certificate 13392; 47962, Certificate 14015; 48328; 48330; 48910; 48911; 48912; 49550; 49916; 49962; 51962; 52330; 52331; 52332, Certificate 14019; 52883, Certificate 13398; 52884; 53384; 53385; 54339; 54340; 54341; 54510; 55616; 55617; 55618; 55619; 56831 through 56839, inclusive; 62532; 68272 and 71883-T through 71907-T, inclusive shall not exceed 10,660.42 ACRE FEET ANNUALLY for mining and milling purposes. The total combined diversion rate under all permits associated with the dewatering program and all related mining and milling purposes will not exceed 110 CUBIC FEET PER SECOND on an instantaneous basis.

A monthly report must be submitted to the State Engineer within 10 days from the end of each month which shall include measurement of the following: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses projectwide, the volume of water diverted to the reservoir, the evaporative losses and seepage losses from the reservoir, the volume of water discharged to any surface drainage and which drainage, and the volume of water used for any other purpose allowed under the permits.

This temporary permit is issued subject to, and also incorporates the terms and conditions set forth in the State Engineer's Order No. 1055, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) In a Portion Of The Heretofore Designated Maggie Creek Ground Water Basin (4-51), dated April 1, 1992, on file in the office of the State Engineer.

A year-end report must be submitted to the State Engineer no later than 45 days after the end of each calendar year. The report will state: (1) the number of wells drilled under the permits; (2) the number of abandoned wells, (3) the exact location of each well drilled or abandoned, and (4) a supporting map illustrating well locations.

All groundwater and surface monitoring data must be submitted to the State Engineer on the same basis as specified in Appendix "A" - Mitigation Plan of the Final Environmental Impact Statement, Newmont-Gold Company's South Operations Area Project (November 1993).

Upon permanent cessation of all mining, milling and dewatering purposes, all water granted under the permits will revert back to the source from which it was appropriated, except for any water requirements needed for any mine closure plan and/or to mitigate any adverse effects caused by dewatering.

The State Engineer retains the right to require at any time the permittee cooperate in the funding of additional monitoring and modeling by an independent third party. The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of all data submitted reporting on the dewatering program, water use and the monitoring plan. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

(CONTINUED ON PAGE 4)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 21, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1 cubic feet per second, **but not to exceed 72.4 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

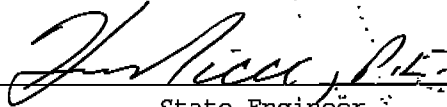
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 22nd day of December, A.D. 2004


State Engineer

RECEIVED
DATE DEC 21 2005

Attachment, items 7. and 8.
Proposed and Existing Place of Use

page 1 of 2

Section 21, T34 N, R51 E, M.D.M.
 Section 22, T34 N, R51 E, M.D.M.
 Section 23, T34 N, R51 E, M.D.M.
 Section 24, T34 N, R51 E, M.D.M.
 Section 25, T34 N, R51 E, M.D.M.
 Section 26, T34 N, R51 E, M.D.M.
 Section 27, T34 N, R51 E, M.D.M.
 Section 28, T34 N, R51 E, M.D.M.
 Section 33, T34 N, R51 E, M.D.M.
 Section 34, T34 N, R51 E, M.D.M.
 Section 35, T34 N, R51 E, M.D.M.
 Section 36, T34 N, R51 E, M.D.M.
 Section 19, T34 N, R52 E, M.D.M.
 Section 20, T34 N, R52 E, M.D.M.
 Section 28, T34 N, R52 E, M.D.M.
 Section 29, T34 N, R52 E, M.D.M.
 Section 30, T34 N, R52 E, M.D.M.
 Section 31, T34 N, R52 E, M.D.M.
 Section 32, T34 N, R52 E, M.D.M.
 Section 33, T34 N, R52 E, M.D.M.
 Section 34, T34 N, R52 E, M.D.M.
 Section 01, T33 N, R51 E, M.D.M.
 Section 02, T33 N, R51 E, M.D.M.
 Section 03, T33 N, R51 E, M.D.M.
 Section 04, T33 N, R51 E, M.D.M.
 Section 10, T33 N, R51 E, M.D.M.
 Section 11, T33 N, R51 E, M.D.M.
 Section 12, T33 N, R51 E, M.D.M.
 Section 13, T33 N, R51 E, M.D.M.
 Section 14, T33 N, R51 E, M.D.M.
 Section 23, T33 N, R51 E, M.D.M.
 Section 24, T33 N, R51 E, M.D.M.
 Section 03, T33 N, R52 E, M.D.M.
 Section 04, T33 N, R52 E, M.D.M.
 Section 05, T33 N, R52 E, M.D.M.
 Section 06, T33 N, R52 E, M.D.M.
 Section 07, T33 N, R52 E, M.D.M.
 Section 08, T33 N, R52 E, M.D.M.
 Section 09, T33 N, R52 E, M.D.M.
 Section 10, T33 N, R52 E, M.D.M.
 Section 15, T33 N, R52 E, M.D.M.
 Section 16, T33 N, R52 E, M.D.M.
 Section 17, T33 N, R52 E, M.D.M.
 Section 18, T33 N, R52 E, M.D.M.
 Section 19, T33 N, R52 E, M.D.M.
 Section 20, T33 N, R52 E, M.D.M.
 Section 21, T33 N, R52 E, M.D.M.
 Section 22, T33 N, R52 E, M.D.M.
 Section 27, T33 N, R52 E, M.D.M.
 Section 28, T33 N, R52 E, M.D.M.
 Section 29, T33 N, R52 E, M.D.M.

Attachment, items 7. and 8.
Proposed and Existing Place of Use

page 2 of 2

Section 30, T33 N, R52 E, M.D.M.
 Section 31, T33 N, R52 E, M.D.M.
 Section 32, T33 N, R52 E, M.D.M.

Section 02, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 11, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 14, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 23, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 26, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 35, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
 Section 33, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek
 Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek

END

